

MINUTES
SCOTTSDALE CITY COUNCIL
CITY COUNCIL MEETING
Monday, March 17, 2003

**The Kiva
City Hall
Scottsdale, Arizona**

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CALL TO ORDER (IN CITY HALL KIVA FORUM)

Mayor Manross called to order the Regular Meeting of the Scottsdale City Council on Monday, March 17, 2003 in the Kiva, City Hall, at 5:06 P.M.

ROLL CALL

Present:

Mayor Mary Manross
Vice Mayor Ned O'Hearn
Council Members David Ortega, Tom Silverman, Robert Littlefield,
Wayne Ecton, and Cynthia Lukas

Also Present:

City Manager Jan Dolan
City Attorney David Pennartz
City Clerk Sonia Robertson

Pledge of Allegiance

Scout Troop #2247 from Cherokee School led the audience in the Pledge of Allegiance.

Invocation

Pastor Steve Johnson and Associate Pastor Eliseo Bongarra from Mosaic Church in Scottsdale offered the invocation in English and Spanish.

Boards, Commissions, and Task Forces

Before nominations for each commission, Vice Mayor O'Hearn briefly identified the appropriate commission and its purpose along with any special qualifications for the vacant position, if any.

Airport Advisory Commission (2)

Vice Mayor O'Hearn opened the floor for nominations

Councilman Littlefield nominated Fred Madanick
Councilman Ecton nominated Robert Underdown
Mayor Manross nominated James Osborne
Vice Mayor O'Hearn nominated William Stenseth

With no further nominations, Vice Mayor O'Hearn closed the floor for nominations.

Fred Madanick and **James Osborne** were appointed to the Airport Advisory Commission by a majority vote.

Board of Adjustment (1)

Vice Mayor O'Hearn opened the floor for nominations

Councilwoman Lukas nominated Neal Waldman

Councilman Ecton nominated Robert Underdown

With no further nominations, Vice Mayor O'Hearn closed the floor for nominations.

Neal Waldman was appointed to the Board of Adjustment by a majority vote.

Building Advisory Board of Appeals (2)

Vice Mayor O'Hearn explained that there were only two applicants for this board; therefore, Council would vote on the applicants.

Sandra Herd and **Christopher Valocchi** were appointed to the Building Advisory Board of Appeals by a unanimous vote.

Development Review Board (1)

Vice Mayor O'Hearn opened the floor for nominations

Councilman Ortega nominated Jeremy Jones

With no further nominations, Vice Mayor O'Hearn closed the floor for nominations.

Jeremy Jones was appointed to the Development Review Board by a unanimous vote.

Human Relations Commission (1)

Vice Mayor O'Hearn opened the floor for nominations

Councilman Silverman nominated Carol Padwe

Councilman Ortega nominated Enid Seiden

With no further nominations, Vice Mayor O'Hearn closed the floor for nominations.

Carol Padwe was appointed to the Human Relations Commission by a majority vote.

Library Board (1)

Vice Mayor O'Hearn opened the floor for nominations

Councilman Ecton nominated Richard Chappell III

Councilman Ortega nominated Donald Sklodowski

With no further nominations, Vice Mayor O'Hearn closed the floor for nominations.

Richard Chappell III appointed to the Library Board by a majority vote.

Personnel Board (1)

Vice Mayor O'Hearn opened the floor for nominations

Councilman Ecton nominated Laura Krause

Councilwoman Lukas nominated Eric Reuss M.D.

With no further nominations, Vice Mayor O'Hearn closed the floor for nominations.

Laura Krause was appointed to the Personnel Board by a majority vote.

Public Comment

Jodi Paulsen, 8630 E. Dianna Drive, explained that citizens are wondering why Council is not planning on constructing senior housing on the former Smitty's site. She explained that citizens want senior housing on the site and liked the Trend Homes plan the least. She urged Council to reconsider their decision not to place senior housing on the site.

Von Schwartz, 8641 E. Cambridge Ave., stated his support of senior housing at the location of the new senior center. He explained that this would be an opportunity to place a beautifully designed project on the site.

Mary Seales, 8665 E. Bellevue, expressed her opinion that the Trend Homes proposal is not a good option for the former Smitty's site since it would create noise and traffic problems. She noted that the southern part of the city is on a downward spiral. She stated her support for senior housing on the site.

Barbara Cawthorne, 8720 E. Forest Drive, expressed concern regarding the Los Arcos project. She stated her desire to have a better aesthetic appeal for the project while expressing concern about the overnight parking that Wal-Mart would generate. She acknowledged that some subsidies are necessary but stressed her opinion that subsidies should be used for non-profit organizations. She explained that the life of a big box center is estimated at 20-30 years. She stated that this proposed project would never have been allowed in north Scottsdale. She urged Council to approve something on the site of the quality that the south deserves.

Daniel Basinger, 29503 N. 107th Place, reminded everyone that there are several city-sponsored events scheduled for April. A Green Building lecture regarding water conservation will be held on April 3rd at 7:30 p.m. in Urban Design Studio. On April 5th, a Household Hazardous Waste Collection event will be

held at 9191 San Salvador Drive. Also on April 5th, volunteers will be working on the Christmas in April project where two residential homes will be rehabilitated. On April 12th and 13th, all neighborhood and homeowner associations are encouraged to clean up their neighborhoods. The week of April 14th, city staff will be traveling to the schools and discussing a variety of environmental topics. Finally, on April 26th, the Adopt-A-Road Program kicks off. He then announced that DC Ranch has committed to build their planning unit 1 (514 units) under the Green Building Program.

Consent Agenda

1. Scottsdale Housing Agency Plan for Fiscal Year 2003

Request: Adopt Resolution No. 6240, which approves the 2003 update to the Agency Plan for the operation of the Section 8 rental assistance program (Housing Choice Voucher) with funding from the United States Department of Housing and Urban Development (HUD) and authorizes submittal of that Plan to HUD. The resolution also authorizes the acceptance of any Housing Vouchers offered to assist current tenants of properties opting out of federal assistance and up to thirty Fair Share Housing Vouchers if HUD offers them in the 2003/04-program year.

Staff Contact(s): Mark Bethel, Community Assistance Mgr, (480) 312-2309, bethel@scottsdaleaz.gov.

2. Contract Modification for design of Waterline Replacements.

Request: Authorize contract modification to Engineering Services Contract No.2002-030-COS-A with CSA Engineering, Inc. in the amount of \$312,625 for the design of waterline replacement projects for Year 2003.

Related Policies, References: Engineering Services Contract No. 2002-030-COS, approved by City Council on March 18, 2002.

Staff Contact(s): Alison Tymkiw, Sr. Project Manager, (480) 312-7985, atymkiw@ci.scottsdale.az.us

3. Sale of Surplus Property to Resolve Encroachment

Request: Adopt Resolution No. 6267 authorizing the sale of approximately 234 square feet of City owned property for \$5,000.00 to the owner of the Pepin's Restaurant property located in the Civic Center Mall at 7363 Scottsdale Mall.

Related Policies, References: Section 2-221(b)(4) of the Scottsdale Revised Code, which allows the sale of City property directly to adjoining property owners.

Staff Contact(s): Ron King, Asset Management Coordinator, 480-312-7042, rking@scottsdaleaz.gov

4. Architectural Services Contract for design services for Public Underground Parking Facility at Loloma.

Request: Confirm the execution of an Architectural Services Contract No. 2003-002 between DFD Cornoyer Hedrick (Project Architect) and the Arts District Group, L.L.C., an Arizona limited liability company, hereinafter referred to as (Loloma Developer) in the amount of \$259,000.00 for design of the Public Underground Parking Facility at Loloma.

Related Policies, References: Loloma Redevelopment Agreement adopted by City Council on March 11, 2002 on file at the City Clerk's Office.

Staff Contact(s): Corey E. Lew, Project Manager, (480) 312-7769, clew@scottsdaleaz.gov

5. Acquire right-of-way/easements (ROW) for the widening of 96th Street from Shea Boulevard to Thunderbird Road.

Request: Adopt Resolution No. 6273 authorizing the acquisition of ROW located at 9610 E. Cactus Road from The Summit Church at the appraised value of \$38,016 plus approximately \$1,500 in closing costs for the 96th St. Improvements project (Shea – Thunderbird Rd).

Related Policies, References:

- a. Resolution No. 6253 authorizing the initiation of negotiations for the acquisition of 16 various parcels of ROW from nine property owners for the 96th St. Improvements project (Shea-Thunderbird Rd).
- b. Cactus Corridor Equestrian Overlay District
- c. Bond 2000 CIP Project

Staff Contact(s): Marek Urbanek, Project Manager, (480) 312-2563, murbanek@ci.scottsdale.az.us;

Rhonda Thomas, Right of Way Agent, (480) 312-7847, Rthomas@ci.scottsdale.az.us

6. Development of specifications and standards for Intelligent Transportation System (ITS) equipment. Acquisition and installation of software to inventory and monitor operating status of the ITS fiber network.

Request: Consider adoption of Resolution No. 6265 to approve Engineering Services Contract No. 2003-011-COS with URS Corporation, in the amount of \$92,833.

Related Policies, References: Procurement Code; City Code, Chapter 17-21: Cooperate with other City officials in the development of ways and means to improve traffic conditions.

Staff Contact(s): Bruce Dressel, ITS Analyst, 480-312-2358, bdressel@ci.scottsdale.az.us

COUNCILWOMAN LUKAS MOVED TO APPROVE CONSENT ITEMS 1-6. COUNCILMAN ORTEGA SECONDED THE MOTION WHICH CARRIED 7/0.

Regular Agenda

7. McDowell Mountain Ranch Park & Aquatic Center

Request: Approve a revised Municipal Use Master Site Plan for 40+/- acres located at the southeast corner of Thompson Peak Parkway and McDowell Mountain Ranch Road.

Location: E. McDowell Mountain Ranch Rd.

Reference: 20-UP-1994#2

Staff Contacts: Kira Wauwie AICP, Project Coordination Manager, 480-312-7061, kwauwie@ScottsdaleAZ.gov

Kroy Ekblaw introduced item 7 for discussion. He explained that staff's presentation would be presented in segments as explained below.

PRESENTATION

Site Location and Request – Kroy Ekblaw
Park Facility Needs and History – Bill Exham
Site Plan Design Options – Phil Weddle
Traffic Analysis – John Little
Alternatives and Recommendation – Bill Exham
Bureau of Reclamation – Carol Erwin

REQUEST FOR COUNCIL ACTION

To Approve a Revised Municipal Use Master Site Plan

- Proposed revisions affect 17 acres of a 40 acre site
- Located within McDowell Mountain Ranch Park
- Approved site plan required by zoning ordinance

Existing Approved Site Plan Includes:

-Aquatic Center, Fitness, Tennis & Volleyball Courts, Skate Park, Open Recreation Area, Playground & NAOS

Proposed Revisions to Site Plan Analyzed in Two Options:

•Option A Site Plan Includes:

- Open Recreation Area, Playground & NAOS
- No Aquatic Center, Fitness or Skate Park.

•Option B Site Plan Includes:

- Aquatic Center, Fitness, Skate Park, Open Recreation Area, Playground & NAOS

Bill Exham presented the following information. He explained that McDowell Mountain Ranch is located in Planning Unit C. The planning unit is expected to have 108,000 people and be one of the more densely populated planning units within the city. The more people in an area, the more demand for recreational amenities and park space.

He noted that on the McDowell Mountain Ranch site, there is an elementary and middle school, a joint use library, recreational fields, and additional restroom facilities. There will be seven joint use park/school sites serving the area. He explained that the area would eventually be served by trailheads to be constructed as part of the amenities to serve the general area.

The reason that many parks and schools are located together is because it is difficult for children to get to the recreational amenities. He stressed that there is a nationwide movement to have joint school/park facilities. The national standard for public pools is 1 pool per 25,000 people. Scottsdale currently has 1 public pool for 73,000 people.

Mr. Exham noted that there are three high schools currently using Cactus Pool; therefore, the facility is at capacity. Due to the proposed facility serving the existing demand, it is estimated that vehicle miles will be reduced that are currently driven to transport students to Cactus Pool since the proposed site will be closer for some users. He stressed that although another pool will be needed in the future to serve the area, this location would serve the area in the highest need at this time.

ORIGINAL SITE PLANNING

•City staff, Scottsdale School District, and the Master Developer of McDowell Mountain Ranch worked together to develop the preliminary plan and identify the best location.

- Large numbers of families in future, easy access to Desert Mt. High School and eastern areas, open space to the west, lower elevation than homes, major crossroads.
- Land dedicated to the City for this purpose, approved by the School Board and City Council.

Mr. Exham explained that the Scottsdale School Board and City Council agreed to an IGA on how to build, manage, and pay for the facilities on the site. After the Bond Election in 2000 where the funds to build the site were approved, the city hired an architect and continued with public meetings to discuss the approved Master Plan.

NEIGHBOR CONCERNS

- Traffic, noise, and crime.
- Others wanted amenities to be built near where they live.
- Result is the development of two options which include major changes to the 1994 plan.

Mr. Exham addressed concerns that the facility would escalate criminal activity in the area. He noted that a police evaluation of similar amenities indicates that mainly minor incidents occur at park facilities. In relationship to the area, the police have no reason to believe that there would be any major problems or gang activity related to the facility. He noted that the same concerns were raised in response to the proposed ice rink a few years ago, although that has not happened. Police have informed staff that good design can reduce criminal behavior; therefore, crime might even be reduced in the area. He stressed the importance of the desert landscaping that would enhance surveillance of the area.

He mentioned that there is already a police school resource officer on the site so there is a regular police presence on the site.

Phil Weddle continued the presentation as the city's design consultant. He noted that there were actually two different zones that were identified on the site. Zone B was identified as a high visibility area with close proximity to neighbors so low impact amenities are proposed. Zone A was identified at a lower elevation and has more landscape screening between it and adjacent neighbors. It has the potential for an additional access off of Thompson Peak Parkway.

SITE ANALYSIS – Original Master Plan SITING ISSUES

- environmental considerations
- distance to homes
 - noise
 - lighting
- vegetation
- activity zones

CONCEPTUAL MASTER PLAN – *Option A*

- Locates amenities on the southern portion of the site adjacent to the existing ball fields
- Amenities would include open recreation, a playground, a restroom facility, and expanded parking.
- The remaining of the site would be left undeveloped
- No required on-site circulation improvement

CONCEPTUAL MASTER PLAN – Option B (broken into 2 zones)

- Reduced density
- Facilities re-located away from homes to allow for more open space
- Eliminated low priority amenities
- Scaled back skate park
- Relocated fitness facility off-campus
- 2 new accesses from Thompson Peak Parkway – would allow the circulation for the aquatic facility to operate independent of the circulation of the school

Low priority amenities have been eliminated with this option to allow for more open space.

John Little presented the following information. He stressed that the city requested that the transportation analysis include an additional 10,000 trips per day above the projected amount to ensure that the plan would be feasible.

WHAT ARE WE PLANNING TO DO?

Concerns

- Access to School and Park site
- Westbound MMRR left turn backup
- Northbound TPP right turn backup
- Additional traffic
- Conflict with school traffic
- Safe Access

Improvements

- Construct traffic signal & add NB right turn bay by August 2003.
- Extend the left-turn lane on MMR Road
- Add another right-turn lane on Thompson Peak
- New access from TPP, new access from MMRR and loop road
- Construct a gate to separate the park traffic from the school
- Add enhanced pedestrian crossings on school road
- Work with the schools – drop off and pick up
- Schedule swim classes/programs around school times

MMR TRAFFIC CONCLUSION

- There are existing and future traffic issues that need to be addressed.
- Street improvements can be made to resolve these traffic concerns
- Loop Road enhances access to the site (under Thompson Peak Parkway bridge)
- Delay will be reduced especially for the critical movements discussed previously
- This site works

Mr. Little explained that short of a 100-year event, the proposed Loop Road would not flood. In a 100-year event, the roadway would need to be closed the same as many of the city's roads throughout the community until the water recedes.

The traffic delays at 102nd Street would be significantly reduced by construction of Loop Road from approximately 120 seconds to approximately 18 seconds. The evening traffic movements from Thompson Peak Parkway to McDowell Mountain Ranch Road would also be significantly improved.

ALTERNATE SITES – ACCESS

MMR Site

- Intersection of Two Arterial Streets
- Direct Signalized Access
- Existing Infrastructure
- Pedestrian/Bike Access
- Proximity to School

DC Ranch Site

- Close to 101 Freeway
- Multiple Ways to Access Site
- Impact to Local Streets & Neighborhoods
- Planned Infrastructure
- Pima Access – State lands

ALTERNATE SITES - TRIP GENERATION & DISTRIBUTION

MMR Site

- Better opportunity to combine trips for School and Park Uses
- Better Pedestrian and Bicycle Access
- Peak Use Does Not Conflict with School Traffic
- Adds 1,900 Daily Trips to TPP

DC Ranch Site

- Increase in Trip Generation From Existing Neighborhood Park Plan
- Peak Use Conflicts with Adjacent Commercial Traffic
- Adds 1,000 Daily Trips to TPP

ALTERNATE SITES – VOLUME / CAPACITY

MMR Site

- MMR & TPP Under Capacity
- 102nd Place Access Requires Signal
- Signal Does Not Hurt System

DC Ranch Site

- Loop 101-Pima/Princess Intersection Is Over Capacity
- Staff does not support a traffic signal on Pima because it would increase Pima Road delay
- Without a signal at Pima Road, neighborhood streets are negatively impacted.

TRAFFIC COMPARISON CONCLUSION

- DC Ranch Site Limitations:
 - Impact on neighborhood Streets
 - Street Infrastructure is not developed
 - Pima Access uncertain
 - Traffic will still utilize TPP
- Transportation Staff believes that the McDowell Mountain Ranch Site is better suited to accommodate the Aquatic Center

Mr. Exham explained that the DC Ranch location is restricted by a natural wash and power line corridor through the site.

ALTERNATE SITES – PLANNED PARK CLASSIFICATION

MMR Site

- Community Level Park
 - Drive-in traffic from entire planning unit

DC Ranch Site

- Neighborhood Level Park
 - Walk-in/Bike-in traffic from surrounding neighborhoods

ALTERNATE SITES – SIZE OF SITE

MMR Site

- 71 acres School/Park integrated site.
- 17 available for development of the final phase

DC Ranch Site

- 14.3 total acres neighborhood park site
- 12.8 available for development

ALTERNATE SITES - PROXIMITY TO RESIDENTS

MMR Site

Aquatic Center planned approximately 1100 feet away from nearest resident and 30 feet below the grade of the school.

DC Ranch Site

Aquatic Center would be approximately 325 feet from the nearest future resident buffered by a wash.

Mr. Exham explained that to build the amenities on either site, the cost would remain approximately the same. He stressed that the new operational costs for the facility have been included in the proposed balanced 5-year budget that has been submitted to Council for consideration.

ALTERNATE SITES – ACCESS TO FACILITIES AFTER SCHOOL

MMR Site

2 schools on the site with approximately 1600 children

DC Ranch Site

No schools on site

SUMMARY OF RECOMMENDED *OPTION B*

- Option B* at the McDowell Mountain Ranch site is the best location to accommodate the planned amenities.
- *Option B* meets all criteria for a Municipal Use Permit.
- Responds to identified concerns from the public process.
- Improves existing traffic conditions.
- Provides best access for children.
- Recommended for approval by unanimous vote of both the Parks and Recreation Commission and the Planning Commission.

Carol Erwin, with the Bureau of Reclamation (Bureau), explained that the Bureau was asked to give conceptual approval for the skate park and Loop Road because they would be built on bureau land. The Bureau gave their approval since the facility would be open to the general public and since the facility would be consistent with a recreational land use agreement that the Bureau entered into with the city to help create recreational development on bureau land. The partnership has been a good one creating various recreational facilities. The skate park would provide the Bureau the opportunity to partner with the city to serve a segment of the population that they often don't get a chance to serve.

Final approval from the Bureau would hinge of three things: 1) approval by the City Council, 2) a formal request from the city, and 3) having the National Environmental Policy Act requirements met by the city.

Mayor Manross opened public testimony.

Eneas Kane, 7600 E. Doubletree Ranch Road, spoke as Vice President and General Counsel to DMB Associates (the developer of DC Ranch). He explained that the city approached DMB approximately 9 months ago and asked the area to serve as an alternative site provider for the aquatic center in the event it needed one. Since agreeing, they have spent a great deal of time speaking to people who have become more involved in this increasingly public process. He requested that the site be removed from consideration as an alternative site.

Alan Kaufman, 8711 E. Pinnacle Peak Road, #241, represented the ASAP Committee, the Coalition of Pinnacle Peak, and other civic groups and individuals who support locating the new proposed aquatic center and skateboard facility at a location other than McDowell Mountain Ranch. He noted that locating the proposed facilities at McDowell Mountain Ranch is optional. He stated his belief that it is the wrong place for the facility. He felt that there is no need to rush a decision on this matter since there is no money available at this time. He urged Council to take steps to avoid the traffic mess that would be created at this site by building the facilities at another location.

Dan Sommer, 10346 E. Morning Star Drive, spoke against the McDowell Mountain Ranch site for the proposed facility. He noted that the McDowell Mountain Ranch Community Association conducted a non-scientific poll, which indicated that the majority of residents who responded to the poll were opposed to the amenities being built on the site. He urged Council to consider moving the amenities to another location.

Lowell Hicks, 11007 E. Winchcomb, explained that he retired after working 39 years as a consultant in traffic safety and accident reconstruction. Based upon his experience, he stressed that the proposed facility should not be placed at McDowell Mountain Ranch. He explained that the increased access points off of Thompson Peak Parkway would increase the accident rate in the area.

Bob Alico, 11043 E. Winchcomb Drive, addressed concerns with the traffic study results. He explained that the study concluded that the road system would be at capacity but still would sustain the traffic. He stated that this conclusion is predicated on the fact that all traffic must keep moving without any unusual occurrences. He urged Council to consider the safety issue before making their decisions.

Gregg Linn, 10994 E. Beck Lane, explained that he is a certified public accountant and wished to address financial concerns related to the McDowell Mountain Ranch site. He noted that the trouble with the proposal is that the proper capital and operating funds are not currently available to build a first class facility while addressing safety and traffic concerns. He pointed out his belief that other locations would not require the same level of safety and traffic expenditures. He urged Council to make fiscally responsible decisions.

Kate Fitzgerald, 11444 E. Blanche Drive, stated that she lives in McDowell Mountain Ranch. She explained that, although she is in favor of shared facilities, this is not the right location for the additional facilities. She displayed various of photos taken of the proposed site when running water cut through the property after recent storms rolled through the area. She urged Council to think about the future and make the best decision possible to make the most of tax dollars.

Lewis Rappaport, 10819 E. Butherus Drive, spoke in opposition to the McDowell Mountain Ranch location. He explained that the proposed facility was not disclosed to him when he purchased his home in the area. He suggested that Council vote for Option A and seek an alternative site. He stressed that the voter approved bond money could be used for a facility at an alternative site.

John Blangiando, 10823 E. Autumn Sage Drive, explained that he built a home at McDowell Mountain Ranch and the proposed facility was never disclosed. He stated that he is disturbed at the reassurances that have been provided to Council regarding school safety. He stressed that it is critical to understand that if the proposed aquatic center were added to the site, the entire complex would have to be viewed as the school campus. He urged the city to expect any security measures to be breached.

Ruth Mones, (no address given), stated her belief that citizens have no choice. She felt that many of the supporters of the McDowell Mountain Ranch facility do not live in the neighborhood. She explained her opinion that the process was flawed. She stated that Council should chose Option A and think about an alternative site.

Ann Barton, 12712 N. 120th Place, explained that she is a senior at Desert Mountain and the past captain of the dive team. She was excited about the proposed facility when the land was donated to the city. She stated, in the past, Scottsdale has valued the quality of life as a high priority; however, the center continues to be delayed. She explained that these aquatic centers are a source of life for people who live around them. Many high schools compete for pool space at Cactus Park. She stated that it is the city's responsibility to ensure that the city remains a great place to live.

Mary Lee Sturgeon, 10883 E. LeMarche Drive, expressed support for Option B and urged Council's support for the long-planned expansion of the McDowell Mountain Ranch facilities. She explained that she was pleased to have been involved in the planned improvements that would improve traffic flow and enhance safety. She stated that children are the future and urged Council's support for Option B.

Mary Versosky, 15185 N. 102nd Street, explained that she doesn't have a problem with the pool. She claimed she was not informed about the proposed amenities when she purchased her home in 1999. She felt strongly that the proposed location of the aquatic center is dangerous and there is no way to make it safe. She questioned why the center isn't more centrally located if it is for regional use.

Paula Sturgeon, 10883 E. LeMarche Drive, explained that she bought her home in 1997 with the understanding that the aquatic center would be built. She stated that research has shown that the community has a vested interest in resources that support children and families. She expressed her belief that the proposed park would do just that.

Callie Decker, 10473 E. Star of the Desert Drive, questioned the validity of the non-scientific poll conducted by the homeowner's association. She noted that she had just returned from swimming practice when the person taking the poll walked past her home without asking for any input. She felt this was because he could easily see that her family would support the facility. She urged the city to build the aquatic center at McDowell Mountain Ranch.

Christine Schild, 10849 E. Jasmine Drive, explained that Scottsdale has a history of doing things their own way and values a variety of high-quality recreational facilities. She stated her opinion that the city's history is expressed in the General Plan. One of the goals expressed in the General Plan is to improve the quality of life for all Scottsdale residents by ensuring a wide range of recreational facilities. She explained that there is a significant need for additional park facilities in north Scottsdale. She stated her belief that the traffic concerns were addressed and urged the city to proceed with the facility.

Kenneth V. Lewis, 11026 E. Verbena Lane, explained that one of the reasons he purchased his home in 1996 was due to the proposed park facilities. He noted that his family would use the amenities and submitted petitions signed by residents in favor of the facility at McDowell Mountain Ranch. He

explained that he is currently compiling a master plan for the entire City of Scottsdale and is aware of the drainage issues involved with building on Bureau of Reclamation property. He stressed that it would not be a problem in this location. He felt that city staff has addressed all the issues involved with building the facility on the McDowell Mountain Ranch site and urged Council to support Option B.

Shelley Anderson, 158906 Gold Dust, spoke on behalf of the Parks and Recreation Commission. She noted that the commission voted unanimously to support the facility at the McDowell Mountain Ranch site. She stated that during the discussions, staff suggested many improvements, which the commission believed benefit the residents of the area. She pointed out that the DC Ranch site is smaller, includes less improvements, and residents of the area have not been brought into the process.

Joy Russell, 9106 N. 115th Street, spoke as a member of the Board of Directors of the Arizona Swimming, Inc., which represents competitive swimmers. She explained that there is no doubt that the city's aquatic facilities are overcrowded. While the city is debating this issue, additional kids are turned away from facilities. She urged Council to support Option B at McDowell Mountain Ranch.

Kim Abbs, 9719 E. Pine Valley, explained that her family was excited about the park and aquatic center; however, never felt it would take so long. She stated that it is time to honor the expertise of city staff and look at the facts presented since there is no better place to locate the facilities. She hoped that Council would look at the facts and make a firm decision to support Option B.

Jason Ryan, 7701 E. Osborn, spoke on behalf of the Bike, Blade, and Board Coalition. He listed what he felt were problems with the skate park in El Dorado as: 1) it does not allow BMX bicycle use, 2) it lacks good flow characteristics, and 3) it is grossly overcrowded.

Nona Oliver, 6908 E. Portland, expressed her belief that the park would be good for everyone. She urged everyone to come together and bring this issue to a close.

Arlene Crevier, 11022 E. Evans Road, explained that her family is interested in the pool and skate park. She stressed her support for the facilities at the proposed McDowell Mountain Ranch site.

Jody Bergdoll, 10406 E. Tierra Buena Lane, explained that he is a sixth grader at Copper Ridge Middle School. He stated his belief that the area needs a skate park in addition to the aquatic center to provide a safe place for children to go. He felt that building the amenities on the proposed site would ensure that the city meets the needs of families in the community.

Larry Heath, 8608 E. Gail Road, stated that he lives close to Cactus Park and can never remember being inconvenienced by traffic due to the pool on the site. He expressed his belief that the city must step up and provide amenities to the citizens. The city does not have enough parks; therefore, it is time to move forward.

Greg Plank, P.O. Box 12021, explained that he is originally from Illinois where they built communities around pools. Despite this, there were still numerous complaints from residents living around the pool. He stated that there isn't any way to please everyone. He stressed that moving the facilities to DC Ranch would simply upset residents in that community. He stated his belief that the park should be built at the McDowell Mountain Ranch site.

Bill Bergdoll, 10406 E. Tierra Buena Lane, explained that he lives in McDowell Mountain Ranch and was informed of the proposed facility when he purchased his home. He recited the history of the project, while stressing that the facility has went through an incredible amount of review. He stated that Option B

should be approved since it would implement the General Plan open space and recreational elements. He stressed that the facility would be located a distance from existing homes and would fit into the city's trail system. He further addressed all the issues that had been previously sited and urged Council to approve Option B.

James Duchene, 10474 E. Raintree Drive, expressed concern that the project's delay might be sending the message that local opposition groups can derail any project. He urged Council to support Option B to show people that, in the future, only reasonable concerns will be addressed.

Donn Loper, 10761 E. Laurel Lane, stated his opinion that the plan that is being considered tonight is a much better plan than was originally considered. He felt that this issue is a community issue not a development issue. He expressed his belief that Option B should be approved and pointed out that the facilities would be placed on city owned land. He urged Council to send a strong message of support to staff, commissions, and citizens who voted in favor of this site.

Cathy Mangels, 10940 E. Cosmos Circle, spoke in support of the aquatic center. She explained that she was excited about the proposed facility when she moved into the area. She urged Council to vote for the aquatic center and move forward.

Gary Neiss, 16488 N. 106th Place, listed several reasons why he felt the park should be placed at McDowell Mountain Ranch, while stressing that the park is needed. He encouraged Council to support the facility at McDowell Mountain Ranch.

Nick Luongo, 9442 E. Rockwood Drive, opposed the aquatic center at the alternative DC Ranch site.

Arthur Mones, 15050 N. Thompson Peak Parkway, explained that some of the support groups of the facility are indifferent to the location. He noted that the Heritage Foundation grant money is not contingent on the location. He stressed that the outreach process for an alternative site could be conducted expediently and further listed the various reasons he felt the amenities should be located at an alternative site.

David Madisow, 10447 E. Texas Sage, explained that the Loop Road has been presented as the solution to the traffic problems at the proposed site. He expressed his opinion that the road might be abandoned at a later time as unfeasible. He stated his belief that there is insufficient room to construct the road, drainage issues are present, and traffic mitigation would need to be completed for the facility at this site. He felt that the cost for the facility would escalate dramatically on the McDowell Mountain Ranch site.

Maggie Graves, (no address given), urged Council to relocate the aquatic park to an alternative site. She noted that she didn't know about the proposed park when she purchased her home in the area. She stressed that the McDowell Mountain Ranch area is currently at capacity; therefore, the facility should be placed at an alternative site. She urged Council not to base their vote on vague drawings since Council has other options.

Angela Kosina, 11045 E. Raintree Drive, opposed the McDowell Mountain Ranch site since she felt the site would be unsafe. She urged Council not to build the center next to the school. She explained that she has never seen the officer at the school although her three children have attended Desert Canyon.

Beverly Ricketts, 10663 E. Autumn Sage Drive, expressed concern over the proposed McDowell Mountain Ranch site. She asked Council to focus on the fact that children of middle school age are not old enough to be responsible for their safety.

Peter Ranke, 11109 E. Cosmos Drive, opposed the park at McDowell Mountain Ranch. He felt there is a major issue with traffic at this location. He stressed that approval of Option B would bring more traffic into an already congested area.

Mayor Manross closed public comment. An additional 55 cards were received from citizens in favor of Option B with 4 cards from citizens opposing it, although, they didn't wish to speak.

In response to questions voiced by Councilman Silverman and Littlefield, staff provided the following information.

- 1) Mr. Little explained that the traffic study took projected growth into account plus added an additional 10,000 trips per day to ensure that the roadway system could handle the increased traffic.
- 2) Mr. Little stated that the drainage issues on the site would be handled by grading. The Loop Road would be designed and engineered as a result of both a grading and drainage plan.
- 3) Mr. Exham explained that if Council approves Option B on McDowell Mountain Ranch, the pool and skateboard facilities could be completed by the fall of 2005. If Council desires an alternative site, a new public process would need to be conducted, which would take a significant amount of additional time.
- 4) Ms. Dolan estimated the annual operating costs for the facility at \$560,000.
- 5) Attorney Pennartz explained that, in addition to the contract between the home buyer and the builder, there is also a subdivision report that the State Real Estate Department requires to identify surrounding amenities or public projects. Issues nearby that might affect a buyer are the sub divider's responsibility to disclose.
- 6) Ms. Dolan explained that staff became aware that the developer of DC Ranch was growing concerned about their role in the process approximately 2-3 weeks ago. It wasn't confirmed to staff until Friday of last week.
- 7) Ms. Dolan confirmed that Council could still decide to place the facility at DC Ranch since it is a public park and ultimately, Council's decision.

Councilman Ortega clarified that the city has two types of parks including a neighborhood or pocket park and a more public park. He pointed out that the park being considered tonight is a substantial downsizing of the original plan.

Councilman Ecton explained that the savings suggested by Option A wouldn't be realized since the aquatic center would be built at an alternative location. Mr. Exham addressed the issue of costs associated with the proposed facility. He explained that the city's engineers and designer estimates the cost of building the aquatic center at around \$10 million. He clarified that the money the city has in the proposed budget would cover the entire project.

Mr. Ecton commented that the savings in Option A would not be realized since the center would be built at an alternate location. He questioned the cost overrun suggested in Mr. Lynn's financial analysis. Mr. Exham advised the \$10.7 million budgeted, plus the \$225, should cover the project. Mr. Ecton questioned City Manager Dolan about the city's financial crisis and whether we expect to have a balanced budget. Ms. Dolan stated the city, along with other municipalities and the state, are facing severe financial difficulties. She added that the proposed budget for the current year and the next five years is balanced and account for operation of this facility.

Councilman Ecton said the photos of traffic backup suggesting possibility of accidents

could happen anywhere and was not an indication of normal day-to-day activity. He also commented that he would like to make it clear he had never felt that staff was lying; they have worked hard at a thorough investigation of all the issues and their conclusions are sound.

In response to questions from Vice Mayor O'Hearn, Mr. Little explained that the proposed two-lane loop road would have a speed limit of 15 miles per hour. The road would not be designed for large trucks or buses. Buses that would access the school site would use the signalized intersection at 107th. A deceleration opportunity would be provided for traffic traveling south on Thompson Peak Parkway.

Mr. Little assured Vice Mayor O'Hearn that the traffic projections for the McDowell Mountain Ranch area have been loaded into the computer model to ensure that there are no unusual traffic problems that would cause safety issues. He cautioned everyone not to lose sight of the fact that there are challenging transportation issues for the area as well as solutions.

Councilwoman Lukas acknowledged that this process has been lengthy and has divided the McDowell Mountain Ranch neighborhood. She stated that she has met equally with both sides of the issue and kept an open mind, while never doubting that the facility is needed. She explained that there is a concentration of youth in the area, the land is dedicated, there is existing infrastructure, and there was a bond election in which voters supported the facility. She noted that the peak use for the aquatic facility would not occur at the same time as the school peak use. She stressed that there isn't a viable alternative site available for the amenities. Although the site isn't perfect, it is reasonable, viable, and it will work. She urged everyone to accept whatever decision Council makes and heal the division that has divided the neighborhood.

Councilman Ortega noted that the case began in 1994. Today, Council is looking at an amended site plan with many improvements. He recited the history of the Bond 2000 and the improvements that would be made in various parts of the city due to the bond. He felt it is very important to keep amenities and schools together. He stated his belief that every area should carry its share of the load to provide citizens with amenities.

Councilman Silverman explained that he has not taken this decision lightly. He stated that it has been proven that schools and parks work together. Major changes have been made to help the neighbors since the proposed park was announced.

Mr. Ecton commented that this has not been an easy issue; he has been both for and against over a period of more than a year. Each time he had an issue, staff was able to find a solution. He hoped the delay was not seen as wasting time but as necessary in order to have more information to help make the right decision. The city responded to community input and adjusted various elements to improve and eliminate some concerns. Mr. Ecton stated he felt the demographics are a good match and that people will be satisfied with the way it fits together. He said it's time to move forward and that he would support Option B.

Mayor Manross pointed out that she lives close to a school that is close to a park. She stated her belief that it is a benefit to have the facilities close to each other. She thanked everyone for participating in the process.

COUNCILWOMAN LUKAS MOVED TO APPROVE OPTION B FOR A REVISED MUNICIPAL USE MASTER SITE PLAN FOR 40+/- ACRES LOCATED AT THE SOUTHEAST CORNER OF THOMPSON PEAK PARKWAY AND MCDOWELL MOUNTAIN RANCH ROAD. CASE 20-UP-1994#2. COUNCILMAN ORTEGA SECONDED THE MOTION WHICH CARRIED 7/0.

Public Comment - None

City Manager's Report - None

Mayor and Council Items - None

Adjournment

With no further business to discuss, Mayor Manross adjourned the meeting at 9:30 P.M.

SUBMITTED BY:

Ann Eyerly, Council Recorder

REVIEWED BY:

Sonia Robertson, City Clerk

C E R T I F I C A T E

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular City Council Meeting of the City Council of Scottsdale, Arizona held on the 17th day of March 2003.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this _____ day of March 2003.

SONIA ROBERTSON
City Clerk